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Page 25 of 25

implantation of the marker element (12) is explicitly stated to be permanent (¶ [0048]). Therefore, Foerster '305 does not anticipate claim 67 and claim 67 is patentable over Foerster '305.

In view of the foregoing remarks and amendments, it is submitted that all of the claims are in condition for allowance. Early notification of allowability is respectfully requested.

Respectfully submitted,

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